

**THE HONOURABLE SRI JUSTICE V. ESWARAI AH**

**WRIT PETITION No.23976 OF 2007**

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**DATED: 15-11-2007**

**BETWEEN**

Smt. Tati Mariyamma,  
W/o. T. Jorge,  
R/o. Pullaigudem (V),  
Paloncha (M),  
Khammam District  
and others.

...PETITIONERS

**AND**

The District Collector,  
Khammam and another.

...RESPONDENTS

**ORDER:**

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Petitioners submit that the first petitioner purchased an extent of Ac1.20 guntas; second petitioner purchased an extent of 266.66 sq. yards; third petitioner purchased an extent of 266.66 sq. yards; fourth petitioner purchased an extent of 266.66 sq. yards; fifth petitioner purchased an extent of 504 sq. yards and the sixth petitioner purchased an extent of 376.66 sq. yards, vide different registered sale deeds, situated in Sy.No.817/2/2 at Paloncha Town, Khammam District. While so, the Tahsildar, Paloncha inspected their lands on 08.10.2007 and threatened to dispossess them without taking recourse to due process of law.

2. Petitioners further submit that even if they are encroachers, unless the action has been initiated under the Andhra Pradesh Land Encroachment

Act, 1905 and if the said lands are assigned, unless the action has been initiated under the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977, they cannot be disposed without following due process of law.

3. Having regard to the facts and circumstances of the case, the respondents are directed not to dispossess the petitioners without following due process of law.

The writ petition is accordingly disposed of. There shall be no order as to costs.

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V. ESWARAI AH, J

November 15, 2007

Note: Furnish C.C. of the order by 19.11.2007

(B/o)  
DSK